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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/699,757	10/30/2000	Nobuyuki Matsushita	112857-076	6866

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BELL, BOYD & LLOYD, LLC
P. O. BOX 1135
CHICAGO, IL 60690-1135

EXAMINER

GOOD JOHNSON, MOTILEWA

ART UNIT	PAPER NUMBER
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2672

18

DATE MAILED: 07/19/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/699,757

Applicant(s)

MATSUSHITA ET AL.

Examiner

Motilewa A. Good-Johnson

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 22 April 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 4-17 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 4-17 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. This office action is responsive to the following communications: Application, filed on 10/30/2000; Preliminary Amendment A, filed on 10/30/2000; Amendment B, filed 04/24/2003; Amendment C, filed 09/25/2003; Amendment D, filed 02/12/2004.
2. Claims 4-17 are pending in this application. Claims 4, 6-8, 10 and 15 are independent claims. Claims 1-3 have been canceled. Claims 10-17 have been added.
3. The present title of this application is "Apparatus and Method for Manipulating a Touch-Sensitive Display Panel" (as amended).

Continued Examination Under 37 CFR 1.114

4. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 04/22/2004 has been entered.

Claim Rejections - 35 USC § 102

5. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the

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applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

6. Claims 4-7 and 10-15 are rejected under 35 U.S.C. 102(b) as being anticipated by Singh et al., U.S. Patent Number 6,400,376, "Display Control for Hand-Held Data Processing Device", class 345/685, 06/04/2002, filed 12/21/1998.

Regarding claim 4, Singh discloses a portable computer (figures 1-6, col. 4, lines 6) comprising: a frame which can be grasped by a user's hand; (figure 1, element 12, a housing, which Examiner interprets as a frame) a touch-sensitive panel mounted on the upper surface of the frame; (figure 1, element 26, one or more touch responsive areas, col. 4, lines 25-26) detecting means (figure 1, element 22, sensor) for detecting specification of at least a first point on said display panel in the vicinity of a region where a user's thumb is positioned when he/she grasps the portable computer;(col. 7, lines 53-67, col. 8, lines 39-50) selection means for selecting a first processing mode corresponding to said first point specified according to a result of detection by said detection means; (col. 8, lines 1-13) execution means for executing said first processing mode, (col. 4, lines 28-48, processor, i.e. execution means, capable of processing command, which Examiner interprets as processing mode, col. 5, lines 45-54, processing places the device in a first mode) wherein the selection means selects a second processing mode in said execution means (col. 5, lines 55-61) and said execution means executes the second processing mode when the detection means

detects a second point on said touch-sensitive display panel while said first point is actively detected. (col. 5, lines 55-62)

Regarding claim 5, the first and second processing modes perform at least enlargement. (col. 9, lines 38-41)

Regarding claim 6, Singh discloses a portable computer (figures 1-6, col. 4, lines 6) comprising: a frame which can be grasped by a user's hand; (figure 1, element 12, a housing, which Examiner interprets as a frame) a touch-sensitive panel mounted on the upper surface of the frame; (figure 1, element 26, one or more touch responsive areas, col. 4, lines 25-26) detecting means (figure 1, element 22, sensor) for detecting specification of at least a first point on said display panel in the vicinity of a region where a user's thumb is positioned when he/she grasps the portable computer;(col. 7, lines 53-67, col. 8, lines 39-50) display means for displaying a plurality of selection items on the touch panel according to a detection output from the detection means while said first point is specified; (col. 4, lines 36-48, figure 4) execution means for executing a processing mode, (col. 4, lines 28-48, processor capable of processing commands, which Examiner interprets as processing mode) corresponding to a selection item specified while the first point is specified, wherein said execution means executes the second processing mode when said second processing mode is selected by detection of a second point on said touch-sensitive display panel while said first point is actively detected by detection means. (col. 5, lines 45-62, col. 8, lines 23-37)

Regarding claim 7, Singh discloses a portable computer (figures 1-6, col. 4, lines 6) comprising: a frame which can be grasped by a user's hand; (figure 1, element 12, a

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housing, which Examiner interprets as a frame) a touch-sensitive panel mounted on the upper surface of the frame; (figure 1, element 26, one or more touch responsive areas, col. 4, lines 25-26) detecting means (figure 1, element 22, sensor) for detecting specification of at least a first point on said display panel in the vicinity of a region where a user's thumb is positioned when he/she grasps the portable computer;(col. 7, lines 53-67, col. 8, lines 39-50) interpretation means for interpreting said second point specified on said display panel in a corresponding interpretation mode according to a detection output from the detection means while the first point is specified; (col. 8, lines 1-22) and execution means for executing a predetermined processing according to a result of the interpretation, while a second predetermined processing mode is executed when detection means detects the second point on said touch-sensitive display panel while said first point is actively detected by said detection means. (col. 8, lines 23-37)

Regarding claim 10, Singh discloses a portable information processing apparatus (figures 1-6, col. 4, lines 6) comprising: a touch-sensitive display panel (figure 1, element 26, one or more touch responsive areas, col. 4, lines 25-26); first means for detecting a first touch point on the touch-sensitive display panel (figure 1, element 22, sensor) wherein the first touch point determines execution of a first process corresponding to a portion on said panel having a graphic image indicative of said first process; (col. 5, lines 1-3, command, i.e. process mode, indicated by icon, i.e. graphic image) and second means for detecting a second touch point on the touch-sensitive display panel if the first touch point remains indicated on the touch-sensitive display panel when the second touch point is indicated, (col. 8, lines 14-22) wherein the second

touch point determines execution of a second process where execution of the second process is dependent on specification of said second touch point by said second means while said first touch point remains detected by said first means. (col. 8, lines 23-38)

Regarding claim 11, Singh discloses the first process relates to moving a predetermined object along a trace associated with the first touch point. (col. 8, lines 15-19)

Regarding claim 12, Singh discloses wherein the second process performs at least enlargement. (col. 9, lines 38-41)

Regarding claim 13, Singh disclose the first process comprises shifting from a first operation mode to a second operation mode. (col. 9, lines 29-38)

Regarding claim 14, Singh discloses the second process comprises an operation indicated on the touch-sensitive display panel as a result of execution of the first operation mode to a second operation mode. (col. 9, lines 35-39)

Regarding claim 15, Singh discloses method for operating a portable information processing apparatus wherein the portable information apparatus includes a touch-sensitive display panel (figures 1-6, col. 4, lines 10 and col. 6) the method comprising the steps of: detecting a first touch point on the touch-sensitive display panel wherein the first touch point determines execution of a first process; (col. 2, lines 24-26) and detecting a second touch point on the touch-sensitive display panel if the first touch point remains indicated on the touch-sensitive display panel when the second touch point is indicated wherein the second touch point determines execution of a second

process (col. 2, lines 27-29) where execution of the second process is dependent on execution of the first process. (col. 8, lines 1-13)

Regarding claims 16-17, they are rejected based upon similar rational as claims 13-14 respectively.

Claim Rejections - 35 USC § 103

7. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

8. Claims 8 and 9 are rejected under 35 U.S.C. 103(a) as being unpatentable over Minakuchi et al.

Regarding claim 8, a coordinate position input apparatus comprising: a touch panel for outputting a coordinate data of a middle point . . . ; (Minakuchi discloses conducting a manipulation in such a way that the object is pushed off its center, col. 5, lines 38-42) storage means for retaining coordinate position of the two points . . . ; (Minakuchi discloses touch screen information including two sets of coordinates, col. 3, lines 58-59) detection means for detecting a coordinate position . . . ; (Minakuchi discloses determining the type of manipulation based upon the touch report and contents of the display information table and sending display update request to the display controller, col. 6, lines 42-50)

However, it is noted that Minakuchi fails to render disclose calculation means for calculating a coordinate of one of the two touch points assumed to be a moving point

by subtracting a coordinate position of a previous fixed point from a current middle point coordinate multiplied by 2.

Minakuchi discloses the display controller reading the information and updating the object by a specified amount, col. 6, lines 51-57 and further discloses calculating an object manipulation based upon a center position, col. 6, lines 38-41.

It would have been obvious to one of ordinary skill in the art at the time of the invention to include multiplying of the coordinate data to update the object manipulation, ^{why} in a quicker and efficient manner based on symmetry of the object and center position.

With respect to dependent claim 9, a second point is touched while a first point is touched, the touch point of the second point is calculated according to a current middle point coordinate position and a previous first point . . . (Minakuchi discloses calculating a object manipulation based upon a center position, col. 6, lines 38-41)

Response to Arguments


9. Applicant's arguments with respect to claims 4-17 have been considered but are moot in view of the new ground(s) of rejection.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Motilewa A. Good-Johnson whose telephone number is (703) 305-3939. The examiner can normally be reached on Monday - Friday 8:30 AM - 5:00 PM.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Mike Razavi can be reached on (703) 305-4713. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).


Motilewa A. Good-Johnson
Examiner
Art Unit 2672

mgj